

1 **Jeffery S. Styers, (CSB #102131)**
2 **LAW OFFICES OF JEFFERY S. STYERS**
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7 Attorney for Debtor(s)

8 UNITED STATES BANKRUPTCY COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 In Re:) Case No.: 13-05089-CL7
12 PAUL C. DIFRANCESCO & ANITA J.)
13 DIFRANCESCO)
14 Debtors)
15)
16)
17)

**SUPPLEMENTAL DECLARATION OF
PAUL DIFRANCESCO IN SUPPORT
OF OPPOSITION TO CLAIM FILED
BY VIEWPOINT SECURITIES LLC.**

**Date: 6/2/14
Time: 10:00 a.m.
Dept.: 5**

18 I, PAUL C. DIFRANCESCO, hereby declare:

- 19 1. I am a Debtor in the above-entitled Chapter 7 Bankruptcy Proceeding. If called as a
20 witness, I would and could competently testify to the facts stated herein.
- 21 2. The claim filed by Viewpoint Securities LLC has no merit, as there was never a debt
22 incurred. The claim by Viewpoint Securities LLC is fraudulent and based upon a
23 transaction which never occurred. It was for this reason that I did not list this debt in
24 my Bankruptcy Petition.
- 25 3. \$163,000 of the Viewpoint Claim is based upon a transaction which never occurred.
26 Viewpoint Securities never earned any compensation or stock from Zoro Mining Corp.
27

1 Viewpoint Securities never sold any stock of Zoro Mining Corp. There was no lost
2 opportunity. There was no financial gain.

3 4. The balance of the Viewpoint Claim is for monies paid to me by Viewpoint Securities,
4 which I earned.

5 5. Viewpoint Securities LLC is owned, operated and managed by Seth Leyton. Mr.
6 Leyton went to the extraordinary length of reporting this claim/transaction to FINRA
7 (Financial Industry Regulatory Authority), which examined and audited the matter in
8 detail. This examination resulted in no liability on my behalf, and granted me a clean
9 audit report with no mention on my permanent record with FINRA or any other
10 regulator.
11

12 6. Mr. Seth Leyton has been permanently barred by FINRA, arising from his fraudulent
13 activities in an unrelated transaction.

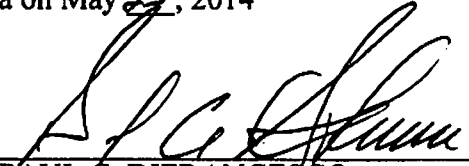
14 7. Essentially, Viewpoint Securities was working with Zoro Mining Corp. as an
15 investment banker. Zoro Mining Corp. disclosed to me that there was a large investor
16 interested in selling a block of stock. Viewpoint Securities' core business was
17 investment banking and it did not maintain a retail business nor did I represent retail
18 investors' open market stock transactions. Therefore, we declined participation in this
19 block trade. Thereafter, my aunt, Lori Bunel, purchased some of the Zoro Mining
20 stock for her own account, and I helped facilitate this trade by offering advice as her
21 nephew. She used her own broker.
22

23 8. Viewpoint Securities LLC was never entitled to these shares; never entitled to sell these
24 shares; earned no commission on the sale of these shares; and has no connection
25 whatsoever with the transaction to purchase these shares by Lori Bunel. The claim by
26 Viewpoint Securities LLC in my bankruptcy case is without merit, fraudulent,
27
28

1 previously investigated with no liability, and is propounded by a man who has been
2 permanently barred as a broker, due to his fraud.

3
4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed in San Diego County, California on May 23, 2014

6
7
8 
9 PAUL C. DIFRANCESCO

CERTIFICATE OF SERVICE

I, the undersigned, whose address appear below, certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age:

On May 27, 2014, I served a true copy of the within **SUPPLEMENTAL DECLARATION OF PAUL DIFRANCESCO IN SUPPORT OF OPPOSITION TO CLAIM FILED BY VIEWPOINT SECURITIES LLC., by U.S. Mail and Electronic Mail**

On the following persons:

Viewpoint Securities, LLC
c/o Seth Leyton
4343 Orchard Avenue
San Diego, CA 92107

Julian McMillan, Esq.
Alan Shepard, Esq.
McMillan Law Group
2751 Roosevelt Road #204
San Diego, CA 92106

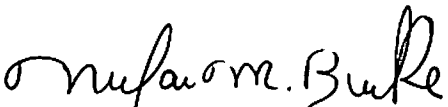
Gerald H. Davis
Bankruptcy Trustee
P.O. Box 124640
San Diego, CA 92112 4640

Richard C. Norton, Esq.
Norton Moore & Adams, LLP
525 B Street #1500
San Diego, CA 92101

United States Trustee
402 W. Broadway #600
San Diego, CA 92112

I certify under penalty of perjury that the foregoing is true and correct.

Executed on May 27, 2014


MELANIE M. BURKE
225 E. Third Avenue
Escondido, CA 92025